

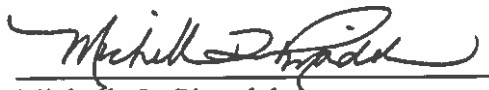
**DELEGATION OF AUTHORITY
CLEAN AIR ACT (CAA)**

Noncompliance Penalty: Review of Actual Expenditures and Adjustment of the Penalty

1. **AUTHORITY.** Pursuant to regulations promulgated under the noncompliance penalty section of Section 120 of the Clean Air Act:
 - a. To adjust and readjust the amount of the penalty assessed or the payment scheduled for the purpose of meeting requirements of that section;
 - b. To, within 180 days of the sources' coming into compliance, either reimburse it for any overpayment or assess and collect an additional payment for any underpayment of a noncompliance penalty in accordance with the CAA.
2. **TO WHOM REDELEGATED.** To the Director, Office of Compliance and Enforcement, or equivalent.
3. **LIMITATIONS.**
 - a. Prior to exercising this authority, the office director must consult with the AA for OECA.
 - b. The AA for OECA may exercise these authorities in multi-regional cases or in cases of national significance.
 - c. The AA for OECA must notify the affected office director prior to exercising any of the above authorities.
 - d. The AA for OECA may waive, in writing, consultation requirement.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the unit manager level, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **SUPERSESSION.** This delegation supersedes R10 7-46 (05/28/2004) and any other delegation of the same authority.
6. **ADDITIONAL REFERENCES.**
 - a. Section 120(b)(8) and (9) and 120(d)(4) of CAA.
 - b. EPA Delegation 7-46.

JUN 26 2017

Date


Michelle L. Pirzadeh
Acting Regional Administrator